

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IDALIA LOPEZ, *et al.*,

No. C-14-2780 EMC

Plaintiffs,

No. C-14-2840 EMC

v.

**CONSOLIDATED CASES**

UNITED ABRASIVES, *et al.*,

Defendants.

**SUPPLEMENTAL BRIEFING ORDER  
REGARDING MOTION TO APPROVE  
MINORS' COMPROMISE**

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ESTATE OF ARIEL MUNOZ GARCIA,  
*et al.*

**(Docket No. 47)**

Plaintiffs,

v.

TOP CAT AIR TOOLS, *et al.*,

Defendants.

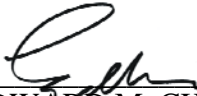
On September 3, 2015, Plaintiffs moved for the Court to approve a compromise of the legal claims of the decedent's minor children. Docket No. 47. This Court has "a special duty . . . to safeguard the interests of litigants who are minors." *Robidoux v. Rosengren*, 638 F.3d 1177, 1181 (9th Cir. 2011). Specifically in "the context of proposed settlements in suits involving minor plaintiffs, this special duty requires a district court to conduct its own inquiry to determine whether the settlement serves the best interests of the minor." *Id.* (citation omitted). The Court must consider the fairness of the proposed settlement, and must specifically consider whether the

1 “proposed net recovery” of the minor plaintiffs “is fair and reasonable in light of the facts of the  
2 case, each minor's claims, and typical recovery by minor plaintiffs in similar cases.” *Id.* at 1182.

3 Plaintiffs’ petition does not currently shed light on all of the issues the Court should consider  
4 under Ninth Circuit law. For instance, Plaintiffs have not provided information regarding the  
5 “typical recovery” of minor plaintiffs in similar actions. Consequently, the Plaintiffs are hereby  
6 **ORDERED** to file a supplemental brief, not to exceed ten (10) pages in length, that further explains  
7 why the Court should approve this settlement. Among other things, the brief should explain the  
8 litigation risks that Plaintiffs face if this case is not settled, and provide sufficient data regarding  
9 comparable settlements of comparable claims. To the extent that Plaintiffs’ submission might reveal  
10 attorney-work product or otherwise privileged information (e.g., a candid assessment of litigation  
11 risks if the case is not settled), such information can be filed under seal and *ex parte* by way of a  
12 separate declaration. Plaintiffs’ brief should be filed no later than Friday, September 18, 2015. This  
13 Court will hold a hearing on this matter on September 24, 2015 at 1:30 p.m.

14 IT IS SO ORDERED.

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16 Dated: September 9, 2015

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EDWARD M. CHEN  
United States District Judge  
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